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UNCLAS SECTION 01 OF 14 DOHA 000260

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SUBJECT: QATAR: INPUT FOR THE SEVENTH ANNUAL TRAFFICKING IN
PERSONS (TIP) REPORT

REF: STATE 06 202745

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¶1. (U) The following is post's input for the seventh annual
Anti-Trafficking in Persons Report. Answers are keyed to
refTel questions.

¶2. (SBU) Paragraph 27. Overview of a country's activities to
eliminate trafficking in persons:

¶A. (SBU) Is the country a country of origin, transit, or
destination for internationally trafficked men, women, or
children?

- Qatar is a country of destination and transit for
internationally trafficked men and women.

Provide, where possible, numbers or estimates for each group;
how they were trafficked, to where, and for what purpose.

- There are no firm estimates of the total numbers of men and
women trafficked into the country; most came willingly to
work as laborers and domestic workers.

Does the trafficking occur within the country's borders?

- Yes, and in some cases, across borders.

Does it occur in territory outside of the government's
control (e.g. in a civil war situation)?

- N/A.

Are any estimates or reliable numbers available as to the
extent or magnitude of the problem?

- Thousands.

What is (are) the source(s) of available information on
trafficking in persons or what plans are in place (if any) to
undertake documentation of trafficking?

- Sources of information on trafficking in persons include other diplomatic missions, government officials, commercial contacts, international organizations, local and regional media, and contacts at quasi-independent NGOs.

How reliable are the numbers and these sources?

- While the reliability of sources cannot always be ascertained, cross-referencing information among various sources helps to promote accuracy in information gathering.

Are certain groups of persons more at risk of being trafficked (e.g. women and children, boys versus girls, certain ethnic groups, refugees, etc.)?

- Foreign laborers, mostly male, and domestic workers, male and female, are most at risk of being trafficked.

1B. (SBU) Please provide a general overview of the trafficking situation in the country and any changes since the last TIP Report (e.g. changes in direction).

- Since the last TIP Report, there has been marked progress in government efforts to address trafficking in persons, although not all the progress has been quantifiable. The government has acknowledged that trafficking within the expatriate labor sector is a problem and is drafting legislation to combat it. A comprehensive anti-trafficking law, when enacted, would address prosecution, protection, prevention, and compensation. A new sponsorship law that is currently being circulated within the government purportedly would give more rights to expatriate workers and more responsibility to sponsors. The National Human Rights Committee (a quasi-governmental organization) has concluded that the largest hindrance to criminalizing TIP violations is ignorance of the current law by all parties. To combat this,

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the committee has organized a series of workshops for lawyers, judges, prosecutors, and law educators that will highlight TIP and the existing Qatari laws to combat it. The workshops begin in March 2007. It hopes as an outcome to enable victims to bring criminal charges against the traffickers and to have the criminal court be able to fairly adjudicate those cases according to the criminal law.

- Current legislation guiding the sponsorship of expatriate laborers and domestic workers has created conditions that in many cases lead to situations constituting forced labor or slavery. Expatriate laborers are not allowed to leave the country without a signed exit permit or to change employment without a written release from their sponsor. The sponsors have also been known to withhold the passports of the workers. The dependence of foreign laborers on their employer for residency rights, plus the inability to change employment or travel, leaves them vulnerable to abuse. Some sponsors have used this power against their workers. They have withheld their consent to force foreign employees to work for longer periods to avoid having to pay a salary owed to the worker and to extract money from the laborer. Many workers ended up in Qatar's Deportation Detention Center due to their employer's refusing to pay back wages, withholding their passports, or failing to renew their work visas. Nepalese officials reported that as many as 1000 Nepalese workers have been held at the same time at the Deportation Detention Center during the year and many have been awaiting repatriation for several months. Law enforcement officials apprehended many of the workers because they had expired work visas that are supposed to be renewed by the sponsor.

- The country also was a destination for women from East Asia, South Asia, and Africa who come to the country to work as domestic servants. Some report that they have been forced into domestic servitude and sexual exploitation. During the year, the embassies of the Philippines, Indonesia, and Sri

Lanka received a combined total of more than 3400 complaints from male and female workers; more than 900 from housemaids alleging mistreatment by their employers. The Nepalese Embassy reported that they received between 14-20 complaints per day. Complaints included sexual harassment, delayed and non-payment of salaries, forced labor, contract switching, holding of passports, poor accommodation, non-repatriation, physical torture or torment, overwork, imprisonment, and maltreatment. Abused domestic servants usually did not press charges for fear of losing their jobs. According to Indonesian officials, 30 to 50 Indonesian housemaids ran away from their sponsors each month during the year.

- The Nepalese Embassy reported that an unknown number ("no less than 20") of residents had been recruited for positions as domestic workers (house boys) in Qatar and after arrival, were trafficked into Saudi Arabia to serve as farm laborers. The workers were held incommunicado in Saudi Arabia for periods of more than one year.

- Regarding the former child camel jockey problem, an interagency committee was formed by the government to ensure the implementation of the law banning the use of children as camel jockeys. The committee conducted several visits to the camel racing tracks in 2006 and found no violations.

Also briefly explain the political will to address trafficking in persons.

- Although there is political will to address trafficking in persons, that will is constrained by pressures from the business community not to amend sponsorship regulations.

Other items to address may include: What kind of conditions are the victims trafficked into?

- Trafficking victims often have to endure poor accommodations and have extremely limited freedom of movement. Many live in fear of arrest, detention and/or

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deportation if they fail to remain in service of their employers.

Which populations are targeted by the traffickers?

- South- and East-Asian domestic workers and laborers in countries with generally high unemployment rates and low standards of living are primary targets for traffickers.

Who are the traffickers?

- Exporting and domestic recruiting agencies and Qatari sponsors.

What methods are used to approach victims? (Are they offered lucrative jobs, sold by their families, approached by friends of friends, etc.?)

Victims are often offered fair wages and benefits for work in Qatar by source country recruiting agencies.

What methods are used to move the victims (e.g., are false documents being used?).

- Most often victims arrive willingly with valid travel documents, usually having paid a large fee to a labor agency in the sending country.

1C. (SBU) What are the limitations on the government's ability to address this problem in practice?

- There are cultural and socio-economic limitations in addressing this problem in practice.

For example, is funding for police or other institutions

inadequate?

- Funding is not a problem.

Is overall corruption a problem?

- Overall corruption is not a problem in this area.

Does the government lack the resources to aid victims?

- No, but employment of resources is a problem.

1D. (SBU) To what extent does the government systematically monitor its anti-trafficking efforts (on all fronts -- prosecution, prevention and victim protection) and periodically make available, publicly or privately and directly or through regional/international organizations, its assessments of these anti-trafficking efforts?

- Although the government has identified various agencies to implement anti-trafficking reforms, it does not effectively monitor its anti-trafficking efforts. When requested, the government does make available its assessments of its anti-trafficking efforts to the requesting organization.

13. (U) Paragraph 28. PREVENTION.

1A. (SBU) Does the government acknowledge that trafficking is a problem in the country? If not, why not?

- The government has an uneven record in acknowledging TIP. Most stakeholders admit that child labor, some trafficking of female domestic workers, and limited trafficking for sexual exploitation occur, but few acknowledge the problems experienced by laborers as potential trafficking issues. Officials often characterize situations of exploitation or coerced labor as labor disputes falling under the purview of the labor law. This perception seems to be slowly changing among government stakeholders, however.

1B. (SBU) Which government agencies are involved in anti-trafficking efforts and which agency, if any, has the

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lead?

- Officials from the Ministry of Foreign Affairs, Ministry of Interior, Ministry of Civil Service and Housing (Labor Department), Supreme Judicial Council, General Health Authority, General Prosecution, National Human Rights Committee, the Qatar Foundation for Women and Children Protection and the Supreme Council for Family Affairs are all involved in anti-trafficking efforts. As of February 2007, the Supreme Council for Family Affairs has the lead in anti-trafficking efforts.

1C. (SBU) Are there, or have there been, government-run anti-trafficking information or education campaigns?

- Yes.

If so, briefly describe the campaign(s), including their objectives and effectiveness.

- The National Office for Combating TIP continued to carry out its media action plan. Activities have included the publication and distribution of informational brochures in several targeted languages, distribution of posters in different languages, radio and TV interviews in local and regional media outlets, TV and radio commercials, and a media campaign entitled "No to Trafficking." While the focus has been primarily on women and children, the plight of abused and forced labor was also addressed.

- The Office has directed educational institutes and training centers in Qatar to include the concept of TIP, its reasons

and its negative effects on society in their curriculum. The TIP National Coordinator developed a curriculum on TIP in cooperation with the legal expert at the Human Rights Office of the Ministry of the Interior to be taught at the Supreme Judicial Council and Ministry of Interior.

- During the Doha Asian Games in December, the Office also distributed TIP posters at the Athlete's Village and flyers were inserted into all local newspapers distributed at the village.

- In May, the Office coordinated special sermons for Friday prayers by Imams in the mosques for a period of six weeks to urge people to treat their servants and employees well and observe their rights.

- The TIP Office increased government classification of TIP to include migrant laborers who fall victim to deception and fraud and who are forced to work in illegal jobs, whether with or without payment. To combat this, a circular was distributed to all concerned departments in the Ministry of Interior and other concerned ministries to abide by this definition and to apply it when identifying TIP crimes or investigating TIP victims.

Do these campaigns target potential trafficking victims and/or the demand for trafficking (e.g. "clients" of prostitutes or beneficiaries of forced labor)?

- The TIP Office held the first of a series of forums with labor recruitment agencies in September. It was attended by representatives of 42 labor agencies in the presence of representatives from the Labor Department and the Research and Follow-up Department of the Ministry of Interior. It focused on delivering TIP awareness to the labor agencies and making recommendations to authorities concerned with anti-trafficking.

1D. (SBU) Does the government support other programs to prevent trafficking? (e.g., to promote women's participation in economic decision-making or efforts to keep children in school.) Please explain.

- None specifically identified to combat TIP.

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1E. (SBU) What is the relationship between government officials, NGOs, other relevant organizations and other elements of civil society on the trafficking issue?

- The government is cooperating with quasi-independent organizations such as the National Human Rights Committee and the Qatar Foundation for Women and Children Protection on anti-trafficking efforts. There are no independent civil society or non-governmental organizations (national or international) active in anti-trafficking efforts.

1F. (SBU) Does the government monitor immigration and emigration patterns for evidence of trafficking?

- It monitors immigration and emigration patterns for evidence of trafficking. It previously strengthened visa regulations as a result of shifts in immigration patterns showing evidence of probable prostitution-related activities.

Do law enforcement agencies screen for potential trafficking victims along borders?

- The government monitors its land border but is not able to comprehensively monitor its extensive shoreline. Neither, however, are believed to be major entry points for trafficked persons. Prior to and during the Doha Asian Games in December, immigration officers at the Doha International Airport were sensitized to the possibility of an increase in the entry of females for the purpose of prostitution. There

were no reported arrests or incidents.

1G. (SBU) Is there a mechanism for coordination and communication between various agencies, internal, international, and multilateral on trafficking-related matters, such as a multi-agency working group or a task force?

- Human rights offices have been established at the Ministry of Foreign Affairs and the Ministry of Interior to address TIP issues. The Supreme Council for Family Affairs is currently the lead organization for coordination and communication between various internal agencies.

Does the government have a trafficking in persons working group or single point of contact?

- The government has a National TIP Coordinator under the Supreme Council for Family Affairs.

Does the government have a public corruption task force?

- There are no known special bodies in Qatar charged with fighting corruption, but in 2003 the government launched a campaign against corruption in high places. Qatar ratified the United Nations Convention against Corruption on January 30, 2007.

1H. (SBU) Does the government have a national plan of action to address trafficking in persons?

- The government has a national plan of action to address trafficking in persons. The plan specifies victims of TIP among: child camel jockeys; women exposed to sexual exploitation; and incoming workers.

If so, which agencies were involved in developing it?

- Representatives from the Supreme Council for Family Affairs, Ministry of Foreign Affairs, Supreme Judicial Council, Ministry of Interior, Ministry of Civil Service and Housing (Labor Department), General Prosecutor, General Health Authority, and the Qatar Foundation for Women and Children Protection were involved in developing the plan of action.

Were NGOs consulted in the process?

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- Representatives from the National Human Rights Committee, a quasi-independent human rights organization, were involved in this process as well.

What steps has the government taken to disseminate the action plan?

- The government has not publicly disseminated the action plan.

14. (U) Paragraph 29. INVESTIGATION AND PROSECUTION OF TRAFFICKERS.

1A. (SBU) Does the country have a law specifically prohibiting trafficking in persons--both for sexual and non-sexual purposes (e.g. forced labor)?

- Qatar does not have a law specifically prohibiting all forms of trafficking in persons. The Government of Qatar has drafted, but not passed, amendments to its sponsorship regulations intended to protect the rights of foreign workers. The Qatari government has also drafted an anti-trafficking law that is being circulated to relevant agencies for comment. It is unclear when the laws will be enacted. The director of the Supreme Council for Family Affairs also noted that a new law specifically addressing

domestic workers is also being drafted; however, domestic workers remain unprotected by general labor laws.

If so, please specifically cite the name of the law and its date of enactment.

- On July 28, 2005, Law No. 22, banning the transport, employment, training, and involvement of children under the age of eighteen in camel races, came into force. According to Article 4, anyone who violates the law faces three to ten years' imprisonment and a fine ranging between \$13,000 and \$55,000.

Does the law(s) cover both internal and external (transnational) forms of trafficking?

- Unknown.

If not, under what other laws can traffickers be prosecuted? For example, are there laws against slavery or the exploitation of prostitution by means of force, fraud or coercion?

- Traffickers can be prosecuted under Article 321 (slavery) or Article 322 (forced labor) of the Criminal Law of 2004, which bans forced or coerced labor. The penalty for Article 321 is imprisonment of no more than seven years and the penalty for Article 322 is imprisonment of no more than six months and/or a fine of no more than QR 3,000 (USD 825). If the victim is under 16, the penalty is imprisonment of no more than six years and/or a fine of no more than QR 10,000 (USD 2,750).

- Articles 318-319 of the Criminal Law address crimes that violate human liberty and sanctity (kidnapping). Specifically, Article 318 prohibits the abduction, seizure or deprivation of an individual's liberty. The penalty for crimes that violate human liberty and sanctity is imprisonment of not more than ten years.

- In 2002, the government also passed a money laundering law (Article 2) that specifically defines as a money laundering crime the handling of money related to trafficking of women and children. Although the new labor law enacted in January 2005 expands some worker rights, the new law does not extend to domestic workers.

- Article 297 of the Criminal Law outlaws forced prostitution. The penalty is no more than 15 years imprisonment.

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Are these other laws being used in trafficking cases?

- These laws are not being used to prosecute trafficking cases.

Are these laws, taken together, adequate to cover the full scope of trafficking in persons?

- If fully implemented and enforced, current laws would be adequate to cover the full scope of trafficking-in-persons.

Please provide a full inventory of trafficking laws, including non-criminal statutes that allow for civil penalties against alleged trafficking crimes, (e.g., civil forfeiture laws and laws against illegal debt.)

- There are no specific trafficking laws. The labor law (which does not apply to domestic workers) allows the alleged victim to bring his case to the labor court (a civil court) to attempt to retrieve actual losses (dues owed), but there are not additional remedies available (i.e., restitution).

1B. (SBU) What are the penalties for trafficking people for

sexual exploitation?

- Facilitating prostitution (pimping) is punishable by imprisonment of not more than ten years.

1C. (SBU) Punishment of Labor Trafficking Offenses:

What are the prescribed and imposed penalties for trafficking for labor exploitation, such as forced or bonded labor and involuntary servitude?

- Abduction for the purpose of forced labor is punishable by imprisonment of not more than seven years. Forced labor is punishable by imprisonment of not more than six months and a fine not to exceed \$825, or both.

Do the government's laws provide for criminal punishment i.e. jail time for labor recruiters in labor source countries who engage in recruitment of laborers using knowingly fraudulent or deceptive offers that result in workers being exploited in the destination country?

- Qatar is not a labor source country.

For employers or labor agents in labor destination countries who confiscate workers' passports or travel documents, switch contracts without the worker's consent as a means to keep the worker in a state of service, or withhold payment of salaries as means of keeping the worker in a state of service?

- Withholding payment may be punishable by imprisonment of no more than six months and/or a fine of no more than QR 3,000 (USD 825). If the victim is under 16 years of age, the punishment is imprisonment of no more than six years and/or a fine of QR 10,000 (USD 2,750).

If law(s) prescribe criminal punishments for these offenses, what are the actual punishments imposed on persons convicted of these offenses?

- There are no known convictions of these offenses.

1D. (SBU) What are the prescribed penalties for rape or forcible sexual assault?

- The penalty for rape or forcible sexual assault is imprisonment. The penalty for sexual exploitation is imprisonment and carries with it a minimum sentence of five years and a maximum of fifteen years. Cases involving children carry an automatic fifteen-year sentence.

How do they compare to the prescribed and imposed penalties for crimes of trafficking for commercial sexual exploitation?

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- There are no specific trafficking laws.

1E. (SBU) Is prostitution legalized or decriminalized?

- No.

Specifically, are the activities of the prostitute criminalized?

- Yes, but women suspected of prostitution are often summarily deported rather than prosecuted under the law.

Are the activities of the brothel owner/operator, clients, pimps, and enforcers criminalized?

- Rarely.

Are these laws enforced?

- Rarely.

If prostitution is legal and regulated, what is the legal minimum age for this activity?

- N/A.

1F. (SBU) Has the government prosecuted any cases against traffickers?

- Although there are no laws specifically criminalizing TIP, existing criminal law has been sparingly used.

If so, provide numbers of investigations, prosecutions, convictions, and sentences, including details on plea bargains and fines, if relevant and available.

- There were two convictions and 24 prosecutions for what the TIP Office described as TIP-related crimes during the year.

- Two Qataris were sentenced to five-year prison terms for gross physical abuse of their Indonesian maid. The maid had been systematically subjected to slave-like conditions prior to being beaten into a comatose state.

- Twenty-four individuals are currently being prosecuted for prostitution and facilitating prostitution.

Does the government in a labor source country criminally prosecute labor recruiters who recruit laborers using knowingly fraudulent or deceptive offers or impose on recruited laborers inappropriately high or illegal fees or commissions that create a debt bondage condition for the laborer?

- Qatar is not a labor source country.

Does the government in a labor destination country criminally prosecute employers or labor agents who confiscate workers' passports/travel documents, switch contracts or terms of employment without the worker's consent, use physical or sexual abuse or the threat of such abuse to keep workers in a state of service, or withhold payment of salaries as a means to keep workers in a state of service?

- Generally no. Employers who confiscate passports/travel documents, switch contracts or terms of employment without the worker's consent, or withhold payment of salaries are sometimes summoned to the labor court and the cases are treated as civil cases between employers and employees. Laborers and domestic workers are often detained for months at the Deportation Detention Center awaiting the outcome of their cases against their employers. There were two convictions in 2006 against the employers of a domestic servant for criminal assault, but not specifically for a trafficking offense.

Are the traffickers serving the time sentenced? If not, why

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not? Please indicate whether the government can provide this information, and if not, why not?

- Traffickers are not criminally prosecuted.

1G. (SBU) Is there any information or reports of who is behind the trafficking?

- With regard to laborers and domestic workers, individual employers and recruiting agencies are complicit in the trafficking in that they knowingly place these workers into situations of forced labor.

For example, are the traffickers freelance operators, small crime groups, and/or large international organized crime syndicates?

- There is no known organized crime involvement.

Are employment, travel, and tourism agencies or marriage brokers fronting for traffickers or crime groups to traffic individuals?

- There is no information to indicate that these organizations are fronts for other trafficking groups.

Are government officials involved?

- There are no government officials implicitly involved, although some may be owners of private companies that subject their employees to forced labor conditions.

Are there any reports of where profits from trafficking in persons are being channeled? (e.g. armed groups, terrorist organizations, judges, banks, etc.)

- No.

1H. (SBU) Does the government actively investigate cases of trafficking? (Again, the focus should be on trafficking cases versus migrant smuggling cases.)

- The Qatari Coast Guard conducts preliminary investigations of illegal immigration for possible human exploitation and can refer cases to the Criminal Investigation and Evidence Division for follow-up if needed. Passport and Immigration investigates cases of visa fraud for signs of organized trafficking. Plainclothes police officers monitor local hotels for signs of prostitution. Suspected prostitutes are investigated for links to local sponsors before arrest and deportation.

Does the government use active investigative techniques in trafficking in persons investigations?

- Unknown.

To the extent possible under domestic law, are techniques such as electronic surveillance, undercover operations, and mitigated punishment or immunity for cooperating suspects used by the government?

- Unknown.

Does the criminal procedure code or other laws prohibit the police from engaging in covert operations?

- Unknown.

1I. (SBU) Does the government provide any specialized training for government officials in how to recognize, investigate, and prosecute instances of trafficking?

- Yes. The National Office for Combating TIP and the Human Rights Office of the Ministry of Interior conducted a workshop from August 20-24, 2006 on the legal, social and security dimensions of TIP. Participants included a selection

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of police officers, Internal Security Force staff and other personnel related to this subject. The purpose of the workshop was to "deepen the awareness of the notions related to the combating of TIP and the activation of the role of organizations and security bodies for active participation and confrontation of this crime and its combat and protection of its victims who are mostly children, women and housemaids."

- TIP training has been incorporated into basic training at the police academy. The TIP Office also organized a series of training courses and workshops for government and private officials dealing with labor and domestic helpers' affairs to educate them on the rights of laborers and the obligations of

employers. It included police officers training on various methods of dealing with TIP victims.

¶J. (SBU) Does the government cooperate with other governments in the investigation and prosecution of trafficking cases?

- The government is not known to cooperate with other governments in the investigation and prosecution of trafficking cases. However, it coordinated with the Embassy of Sudan in the repatriation of the young Sudanese boys employed as camel jockeys. Also, the government shares information with other countries in the region on patterns involving prostitution. It works with labor attaches from South Asian countries to resolve cases of labor contract disputes, abuse of domestic servants, and workers present in Qatar without authorization.

If possible, can post provide the number of cooperative international investigations on trafficking?

- Unknown.

¶K. (SBU) Does the government extradite persons who are charged with trafficking in other countries?

- Unknown.

If so, can post provide the number of traffickers extradited?

- Unknown.

Does the government extradite its own nationals charged with such offenses?

- There are no known cases.

If not, is the government prohibited by law from extraditing its own nationals?

- There are limits to extradition in accordance with international law.

If so, is the government doing to modify its laws to permit the extradition of its own nationals?

- Unknown.

¶L. (SBU) Is there evidence of government involvement in or tolerance of trafficking, on a local or institutional level? If so, please explain in detail.

- Some government tolerance of trafficking is demonstrated in the enactment of legislation such as the Sponsorship Law, which is authored by government officials and which creates and facilitates TIP situations. For example, the Sponsorship Law engenders situations of bondage and servitude by prohibiting workers from leaving the country or changing employment without the permission of their current sponsor. Finally, the lack of enforcement of existing criminal statutes and labor laws could be construed as official toleration of TIP activities.

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¶M. (SBU) If government officials are involved in trafficking, what steps has the government taken to end such participation?

- There are no known cases.

Have any government officials been prosecuted for involvement in trafficking or trafficking-related corruption?

- There are no known cases.

1N. (SBU) If the country has an identified child sex tourism problem (as source or destination), how many foreign pedophiles has the government prosecuted or deported/extradited to their country of origin?

- There is no identified child sex tourism problem.

What are the countries of origin for sex tourists?

- N/A.

Do the country's child sexual abuse laws have extraterritorial coverage (similar to the U.S. PROTECT Act)?

- Article 7 of the Qatari Penal Code includes explicit provisions endorsing the principles of territoriality and extraterritorial jurisdiction over offences committed by a Qatari national or if the deceased is a Qatari.

If so, how many of the country's nationals have been prosecuted and/or convicted under the extraterritorial provision(s)?

- Unknown.

1O. (SBU) Has the government signed, ratified, and/or taken steps to implement the following international instruments? Please provide the date of signature/ratification if appropriate.

- ILO Convention 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labor: ratified; 30 May 2000.

- ILO Convention 29 and 105 on Forced or Compulsory Labor.
29: ratified; 12 Mar 1998
105: ratified; 2 Feb 2007

- The Optional Protocol to the Convention on the Rights of the Child (CRC) on the Sale of Children, Child Prostitution, and Child Pornography: ratified; 14 Dec 1991; with reservation: ".....subject to a general reservation regarding any provisions in the protocol that are in conflict with the Islamic Shariah." Nine signatories objected to Qatar's reservation.

- The Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the UN Convention Against Transnational Organized Crime: unsigned; unratified.

15. (U) Paragraph 30. PROTECTION AND ASSISTANCE TO VICTIMS.

1A. (SBU) Does the government assist victims, for example, by providing temporary to permanent residency status, relief from deportation, shelter and access to legal, medical and psychological services? If so, please explain.

- In 2005, the government opened a shelter for trafficking victims to serve the needs of abused domestic workers, other laborers and children. The shelter is in a small housing compound and comprising fully furnished three-bedroom villas, with two villas each for men, women and children. Each villa can accommodate up to seven people. The shelter is under the management of the National TIP Coordinator. The shelter has assisted 44 women, men, and children, including eight

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laborers (four women and four men). The shelter is underutilized because of a lack of awareness of its existence and also because it is primarily seen as a shelter for women and children. Potential victims in the labor sector have not had wide-spread access to the shelter. The government has stated that it hopes to construct a larger shelter to accommodate potential labor victims.

Does the country have victim care and victim health care facilities?

- The administrative building of the TIP shelter houses a health clinic with a medical doctor working on site. Mental health services are provided to the victims.

Does the country have facilities dedicated to helping victims of trafficking?

- The TIP shelter provides assistance to workers who have suffered from abuse in the form of payment of back wages and repatriation, and it will facilitate a change of employer rather than deportation in cases where abuse has been proven. The shelter employed two victims until their sponsorship was transferred to other employers. One of the domestic helpers is employed in the shelter as cleaner. The shelter has provided financial support to some of the victims. The shelter also pays for the lodgers' calls to their families back home and provides them with personal necessities. TIP victims lodged in the shelter are not repatriated unless they wish. Four victims were repatriated to Vietnam based on their own wishes in coordination with Labor Department, the Ministry of Interior, and the Vietnamese Charge' d'Affaires in Doha. Legal assistance is also available to the victims while in the shelter. The government has widely publicized the existence of the shelter and the hotlines in local newspapers, on TV (local and regional), and via brochures, posters, and leaflets.

If so, can post provide the number of victims placed in these care facilities?

- There were at least 20 victims housed in the shelter in 2006.

1B. (SBU) Does the government provide funding or other forms of support to foreign or domestic NGOs for services to victims? Please explain.

- The government is not known to provide funding or other forms of support to foreign or domestic NGOs for services to victims.

1C. (SBU) Do the government's law enforcement and social services personnel have a formal system of identifying victims of trafficking among high-risk persons with whom they come in contact (e.g. foreign persons arrested for prostitution or immigration violations)?

- Health care facilities have instituted a system to refer suspected abuse cases to the TIP shelter for investigation. No other system has been noted.

Is there a referral process in place, when appropriate, to transfer victims detained, arrested or placed in protective custody by law enforcement authorities to NGO's that provide short- or long-term care?

- No. Most victims of trafficking are deported. They are generally placed in the Deportation Detention Center pending resolution of their cases. The Nepalese expatriate community has established a private shelter for Nepalese victims.

1D. (SBU) Are the rights of victims respected, or are victims treated as criminals?

- The rights of laborers and domestic workers are generally not respected.

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Are victims detained, jailed, or deported?

- They are often treated as criminals. Laborers are often kept in the Deportation Detention Center until their civil

cases with their sponsors are resolved. Domestic workers are also detained and placed in the Deportation Detention Center. After their cases have been resolved, they are deported, but sometimes only after long administrative delays.

If detained or jailed, for how long?

- The length of detainment varies greatly. A visit to the Deportation Detention Center by Embassy officials found 1400 workers detained and awaiting deportation. Some had been detained for more than four years.

Are victims fined?

- Some victims are also fined if they are found to be in violation of immigration or other laws.

Are victims prosecuted for violations of other laws, such as those governing immigration or prostitution?

- Many victims are charged with immigration violations, even if the violations are the fault of their sponsors.

1E. (SBU) Does the government encourage victims to assist in the investigation and prosecution of trafficking?

- The government encourages some victims to assist in their own cases of abuse or withholding of pay.

May victims file civil suits or seek legal action against the traffickers?

- Victims may file civil suits against the traffickers.

Does anyone impede the victims' access to such legal redress?

- Some sponsors and employers have been known to threaten victims in an attempt to keep them from seeking legal redress.

If a victim is a material witness in a court case against a former employer, is the victim permitted to obtain other employment or to leave the country pending trial proceedings?

- If a victim is a material witness in a court case against the former employer, the victim may be permitted to obtain other employment only upon approval of the Ministry of the Interior. Victims may generally not leave the country if there is a pending case. In some cases, a power of attorney may be given to the victim's Embassy to continue pursuing the case while the victim is repatriated.

Is there a victim restitution program?

- There is no victim restitution program.

1F. (SBU) What kind of protection is the government able to provide for victims and witnesses?

- The government has a shelter for trafficking victims and assists them with their cases against their sponsors. However, the shelter has assisted only a few victims.

Does it provide these protections in practice?

- Yes.

What type of shelter or services does the government provide?

- The shelter has a health clinic and a social worker on the premises to assist victims in rebuilding their lives.

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Does it provide shelter or housing benefits to victims or

other resources to aid the victims in rebuilding their lives?

- Yes.

Where are child victims placed (e.g. in shelters, foster-care, or juvenile justice detention centers)?

- If possible, child victims are housed with their mother. The shelter is equipped to care for children and foster care is available.

1G. (SBU) Does the government provide any specialized training for government officials in recognizing trafficking and in the provision of assistance to trafficked victims, including the special needs of trafficked children?

- Yes. The National Office for Combating TIP and the Human Rights Office of the Ministry of Interior conducted a workshop from August 20-24, 2006, on the legal, social and security dimensions of TIP. Participants included a selection of police officers, Internal Security Force staff and other personnel related to this subject. The purpose of the workshop was to "deepen the awareness of the notions related to the combating of TIP and the activation of the role of organizations and security bodies for active participation and confrontation of this crime and its combat and protection of its victims who are mostly children, women and housemaids." TIP training has been incorporated into basic training at the police academy.

Does the government provide training on protections and assistance to its embassies and consulates in foreign countries that are destination or transit countries?

- Unknown.

Does it urge those embassies and consulates to develop ongoing relationships with NGOs that serve trafficked victims?

- Unknown.

1H. (SBU) Does the government provide assistance, such as medical aid, shelter, or financial help, to its repatriated nationals who are victims of trafficking?

- There are no known cases.

1I. Which international organizations or NGOs, if any, work with trafficking victims?

- There are no international organizations or NGOs that work with trafficked victims in the country.

What type of services do they provide?

- N/A.

What sort of cooperation do they receive from local authorities?

- N/A.

16. (U) Embassy Point of Contact is Political Officer, Timothy 1J. Fingarson. Tel. 974-488-4101 ext. 6453. Fax 974 487-3317. One FS-04 officer spent 60 hours in the preparation of this report cable.
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